UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/848,808	05/19/2004	Jae C. Oh	156P042	6237

33831   7590   01/23/2007
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EXAMINER
BADAWI, SHERIEF

ART UNIT	PAPER NUMBER
2109	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

Office Action Summary	Application No.	Applicant(s)
	10/848,808	OH, JAE C.
	Examiner	Art Unit	
	Sherief Badawi	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 May 2004*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 2* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.   ,

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 2* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *5/19/2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *12/1/2004*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   The instant application having Application No. 10/848808 has a total of 2 claims

pending in the application; there is 1 independent claim and 1 dependent claims, all of which

are ready for examination by the examiner.

Oath/Declaration

2.   The applicant's oath/declaration has been reviewed by the examiner and is found to
conform to the requirements prescribed in **37 C.F.R. 1.63.**

Drawings

3.   The drawings are objected to because **identification of drawings is not provided.**

The identification of drawings should be provided according to M.P.E.P 1.84(c).

> *(c) Identification of drawings. Identifying indicia should be provided, and if provided, should include the
> title of the invention, inventor's name, and application number, or docket number (if any) if an
> application number has not been assigned to the application. If this application is provided, it must be
> placed on the front of each sheet within the top margin. Each drawing sheet submitted after the filing
> date of an application must be identified as either "Replacement Sheet" or "New Sheet" pursuant to
> M.P.E.P 1.21(d).*

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the

Office action to avoid abandonment of the application. Any amended replacement drawing sheet

should include all of the figures appearing on the immediate prior version of the sheet, even if only

one figure is being amended. The figure or figure number of an amended drawing should not be

labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed

from the replacement sheet, and where necessary, the remaining figures must be renumbered and

appropriate changes made to the brief description of the several views of the drawings for

consistency. Additional replacement sheets may be necessary to show the renumbering of the

remaining figures. Each drawing sheet submitted after the filing date of an application must be

labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR

1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings

will not be held in abeyance.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

5.   **Claims 1** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing

to particularly point out and distinctly claim the subject matter which applicant regards as the

invention.

Claim 1 recites the limitation "the physical memory hierarchy". There is insufficient

antecedent basis for this limitation in the claims.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the
basis for the rejections under the section made in this office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in
the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent
by another filed in the United States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
application filed in the United States only if the international application designated the United States and was
published under Article 21(2) of such treaty in the English language.

7.   **Claims 1 and 2** are rejected under 35 U.S.C. 102(e) as being anticipated by Duursma et al.

(US 6,643,690 B2).

As per **Claim 1**, Duursma discloses A method for establishing a client/server session using

platform independent network virtual memory wherein said server contains a collection of programs

that are compiled for the architecture of said client, comprising the steps of: (a) finding said server

for said client; [client-server networks. More specifically, the invention relates to a method for

informing a client system of application programs installed at server systems that are

available to the client system for execution; column.2, lines 1-5. The servers include a host

server which receives application-related information corresponding to application

programs hosted by a plurality of servers in a network; Column.2, lines 11-14]. (b) Providing a

list of said collection of programs from said server to said client; [User credentials are received

from the client system. Whether each hosted application program is available to the client

system for execution is determined based on the user credentials and the received

application-related information; Column.2, lines 14-17]. (c) Providing a size of virtual memory

space from said server to be allowed for said client to use; [FIG. 2A shows an exemplary process

by which a server launches the Program Neighborhood (PN) application and presents

results of the PN application to the client node 10. The server can launch the PN application

in response to a request 42 by the client node 10 for a particular application program. The

request passes to the master server node, in this example server 30. The master server node

30, taking load-balancing and application availability into account, indicates (arrow 43) to

the client node 10 that the sought-after application is available on server 32. The client node

10 and server 32 establish a connection (arrows 45 and 46). By this connection, the server 32

can transfer the executable code of the particular application to the client node 10, when the

client node 10 and server 32 are operating according to the client-based computing model.

Alternatively, the server 32 can execute the particular application and transfer the graphical

user interface to the client node 10, when the client node 10 and server 32 are operating

according to the server-based computing model. In addition, either the master server node

30 or the server 32 can execute the Program Neighborhood application 41 and push the results (arrows 43 or 46) back to the client node 10 so that when the client node 10 requests the Program Neighborhood application, the program neighborhood results are already available at the client node 10. Since application is run on ser5ver, server already allocates sufficient memory to run program; Column.7, lines 19-43]. (d) Adjusting, via a client side daemon process, the available memory size so that a client operating system recognizes said memory size as being as large as the virtual memory size provided by said server during said session; [FIG. 2A shows an exemplary process by which a server launches the Program Neighborhood (PN) application and presents results of the PN application to the client node 10. The server can launch the PN application in response to a request 42 by the client node 10 for a particular application program. The request passes to the master server node, in this example server 30. The master server node 30, taking load-balancing and application availability into account, indicates (arrow 43) to the client node 10 that the sought-after application is available on server 32. The client node 10 and server 32 establish a connection (arrows 45 and 46). By this connection, the server 32 can transfer the executable code of the particular application to the client node 10, when the client node 10 and server 32 are operating according to the client-based computing model. Alternatively, the server 32 can execute the particular application and transfer the graphical user interface to the client node 10, when the client node 10 and server 32 are operating according to the server-based computing model. In addition, either the master server node 30 or the server 32 can execute the Program Neighborhood application 41 and push the results (arrows 43 or 46) back to the client node 10 so that when the client node 10 requests the Program Neighborhood application, the program neighborhood results are already available at the client node 10.

Since application is run on ser5ver, server already allocates sufficient memory to run

program; Column.7, lines 19-43]. (e) Establishing a network virtual memory hierarchy; [client

node 20 can run multiple application programs through one connection with the server 32,

while the server 32 maintains multiple connections (in this example, one connection with

server 34 and a second connection with server 36). Also, the server 32 merges the

information received from the server 34 with the information received from the server 36 into

one data stream for transmission to the client node 20; column.9, lines 10-18]. (f) Attaching

said memory of said server and a hard disk of said server to the physical memory hierarchy of said

client; [The client node 10 and server 32 establish a connection (arrows 45 and 46). By this

connection, the server 32 can transfer the executable code of the particular application to the

client node 10, when the client node 10 and server 32 are operating according to the client-

based computing model. Alternatively, the server 32 can execute the particular application

and transfer the graphical user interface to the client node 10, when the client node 10 and

server 32 are operating according to the server-based computing model. Having the option

to run application on the client side or the server side establish the fact that both memories

are connected in a memory hierarchy to the client; column.7, lines 26-36]. (g) Selecting, by the

client, of a program to launch from within said collection of programs; [client system selects one

of the available applications for execution, that application can be executed without

requiring additional input of user credentials by a user of the client system, although the

selected application is at a server other than the host server; column.2, lines 22-26]. (h)

Creating, in said server, a virtual address space for said client program using; [Program

Neighborhood window includes a folder for each server farm. Clicking on one of the folders

with the mouse 18 (FIG. 1) produces a window containing a representation (e.g., an icon) of

each hosted application available to the user, e.g., see FIGS. 6A and 6B. The Program

Neighborhood window becomes the focal point for launching published applications, and

the user interface module 56 can be used to launch applications through the PNAPI 52. For

example, the user of the client node 10 can use the mouse 18 to select one of the displayed

icons and launch the associated application; column.13, lines 8-18]

As per **Claim 2,** the rejection of claim 1 is hereby incorporated reference; Duursma further

discloses running said program on said client using said network virtual memory hierarchy; ; [client

system selects one of the available applications for execution, that application can be

executed without requiring additional input of user credentials by a user of the client

system, although the selected application is at a server other than the host server; column.2,

lines 22-26].

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Tremain et al. (U.S. Pub. No. 2002/0069369) discloses method and apparatus for providing

computer services

Edwards et al. (U.S. 6594686) discloses obtaining user responses in a virtual execution

environment.

Vanderwalle et al. (U.S. Pub. No. 2004/0154027 A1) discloses method and means for

managing communications between local and remoter objects in and object oriented client server

system in which a client application invokes a local object as a proxy for a remote object on the

server

9.   The examiner requests, in response to this Office action, support be shown for language

added to any original claims on amendment and any new claims. That is, indicate support for newly

added claim language by specifically pointing to page(s) and line no(s) in the specification and/or

drawing figure(s). This will assist the examiner in prosecuting the application.
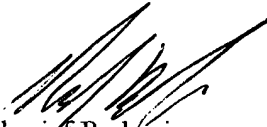

10.   When responding to this office action, Applicant is advised to clearly point out the

patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed

by the references cited or the objections made. He or she must also show how the amendments

avoid such references or objections See 37 CFR 1.111(c).Any inquiry concerning this

communication or earlier communications from the examiner should be directed to Sherief Badawi

whose telephone number is (571) 272-9782. The examiner can normally be reached on Monday

through Friday 7:30-5:00, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Pierre Vital can be reached on (571) 272-4215. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like

assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

1/17/2007

Sherief Badawi
Art Unit 2112

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